

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Noriyuki KIZAKI et al.



Serial No.: 10/088,920

Art Unit: 1652

Filed: June 3, 2002

Examiner: Yong D. Pak

For: NOVEL CARBONYL REDUCTASE, GENE THEREOF AND METHOD OF
USING THE SAME

DECLARATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Stephen B. Maebius, declare:

1. A deposit of *E.coli* HB101 (pTSBH) and HB101 (pTSBG1) was
made at the following International Depository Authority:

National Institute of Advanced Industrial Science and Technology
International Patent Organism Depository
Central 6, 1-1 Higashi 1-chome,
Tsukuba City, Ibaraki Prefecture,
Japan

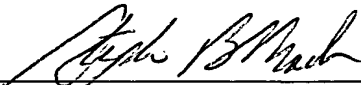
respectively under the accession number FERM BP-7118 (deposition date: Apr.
11, 2000) and the accession number FERM BP-7119 (deposition date: Apr. 11,
2000) and accepted under the provisions of the Budapest Treaty for patent
purposes.

2. All restrictions on the availability to the public of the culture
deposited will be irrevocably removed upon the granting of a patent from the
above-identified application;

3. The deposit will be replaced if viable samples cannot be dispensed
by the depository; and,

4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom; Further declarant sayeth not.

November 22, 2004
Date


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